

Revised: 6/10/2003

**REGULAR CITY COUNCIL MEETING
FRISCO MUNICIPAL COMPLEX
8750 MCKINNEY ROAD
COUNCIL CHAMBERS
FRISCO, TEXAS 75034
5:30 P.M.**

June 3, 2003

MINUTES

1. Call to Order

Mayor Simpson called the Meeting to order at 5:30 pm and announced that a quorum was present.

Those present were:

Mayor Simpson
Mayor Pro-Tem Maso
Deputy Mayor Pro-Tem Lafata
Council member Allen
Council member West
Council member Joyner
Council member Felker

Staff present were:

City Manager George Purefoy
Deputy City Manager Henry Hill
Assistant City Manager Scott Young
Assistant City Manager Jason Gray
City Secretary Nan Parker
City Attorney Rebecca Brewer
Cissy Silo, Director of Engineering Services
Director of Planning & Development Services John Lettelleir

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;

Council member Joyner moved to recess into Closed Session at 5:30 p.m. Council member West seconded the Motion. Motion carried. Vote: 6-0.

Mayor Simpson announced the Council was in Closed Session at 5:30 p.m. as authorized by Texas Government Code,

- a) Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.
- b) Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i. south of Eldorado Parkway, north of Stonebrook, east of Teel Parkway, and west of SH 289.
 - ii. south of FM 3537, north of Warren Parkway, east of Dallas North Tollway, and west Hillcrest Road.
 - iii. Discussion regarding Hammons' property.
- c) Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
 - i. boundary issues with McKinney and The Colony, and
 - ii. issuance of SUP to Ghost Ranch, and
 - iii. ordinances regarding the regulations of CSST, and
 - iv. sign ordinance.
- d) Section 557.071. Meeting with City Attorney regarding:
 - i. Cause No. 2003-60101-393 Vallurupalli vs. City of Frisco, Texas and the City of Frisco Board of Adjustment
 - ii. Cause No. 5-643-02; *City of Frisco, Texas vs. H. Roger Lawler and Frisco Master Plan, L.P.*; In County Court at Law No. 5, Collin County, Texas.
 - iii. Cause No. 366-891-02; *Steve Nichols, et al. vs. Kathleen A. Seei*; In the 366th Judicial District Court of Collin County, Texas.
 - iv. Cause No. 02-40665-DML-11; *In re Denton County Electric Cooperative, Inc. d/b/a CoServ Electric, et al*; In the United States Bankruptcy Court for the Northern District of Texas, Fort Worth Division (another law firm is handling).
 - v. Cause No. 01-48684-DML-11; In re COSERV, L.L.C. d/b/a CoServ Communications et al; In the United States Bankruptcy Court for the Northern District of Texas, Fort Worth Division.
 - vi. *Adrienne Epstein v. The Board of Adjustment of the City of Frisco*; Cause No. 199-02438-01; In the 199th Judicial District Court, Collin County, Texas.
 - vii. Civil Action No. 2-02CV-68; *Lawrence Cousino, Individually and as Administrator of The Estate of Laura Cousino, et al. vs The City of Frisco, Texas, et al.*; In the United States District

- Court, Eastern District of Texas, Sherman Division (another law firm is handling).
- viii. Case No. 02-1460; In re Birch Telecom, Inc., Chapter 11; In the United States Bankruptcy Court for the District of Delaware.
- e) Section 551.074. Evaluation of City Manager.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Deputy Mayor Pro-Tem Lafata moved to reconvene into Regular Session at 7:00 p.m. Mayor Pro-Tem Maso seconded the Motion. Motion carried. Vote: 6-0. There was no action taken as a result of the Closed Session.

4. Proclamations.

Mayor Simpson presented proclamations to:
Lake Tennis Academy
National Management Association

5. Invocation.

Brother Martin of First Baptist Church offered the Prayer.

6. Pledge of Allegiance.

Nathan Navarro led the audience in the Pledge of Allegiance

7. Citizen Input. (To begin approximately at 7:30 p.m.)

Citizen Input began at 7:30 p.m.

Dale Smeal, President of Preston Vineyards HOA address the council regarding the process of pool permitting. He requested that the Health Department invoice the HOA in December of the year before the expiration date of the permit to avoid late fees.

Toni Watson, part-owner of the concession stand of the Hidden Cove Park. She asked that all she wanted to do was add to the sign, "Boat Rentals and the phone number to the sign". Ms. Watson stated that she did not want to make the sign bigger, she just wanted to add the language. She (Watson) stated that if she has to apply for a variance she would, but she did not want to pay for a variance, and then have it denied.

Freida Henderson, Park Manager of Hidden Cove Park of the City of The Colony was present and stated for the record that Ms. Watson did not represent the City of The Colony nor Hidden Cove Park.

Discussion only, no formal action was taken.

8. Reports.

a) Texas Environmental Excellence Award Presentation (Planning)

Jody Purvis, Planner presented the Mayor with the Texas Environmental Excellence Award Presentation.

b) Planning and Development Monthly Report

Director of Planning & Development John Lettelleir reviewed the Monthly Report for the month of May 2003.

c) Appearance before the City Council by Toni Watson regarding a non-conforming sign located on the northwest corner of the intersection of Hackberry Road and FM 423. (Planning)

Zoning & Subdivision Director Scott Ingalls was present to address the Council regarding the non-compliance sign that belongs to The City of The Colony however; it is in the City of Frisco's right-of-way. Mr. Ingalls stated that the City of Frisco denied a permit due to the sign not being within the City of Frisco's jurisdiction,

d) Status Report regarding Auto Dealership at SH 121 and North Dallas Parkway (Planning)

Director of Planning & Development updated the Council regarding Auto Dealership at SH 121 and North Dallas Parkway.

e) Engineering Monthly Report

Cissy Silo, Director of Engineering Services was present to address the Council regarding the Engineering Monthly Report. Mayor Simpson questioned the status of North County Road. Ms. Silo stated that the contractor is legally not required to finish the job until November. Ms. Silo stated that they anticipate the contractor will proceed to finish the construction of the road.

Frank Jaromin, City Engineer updated the Council on the opening of the intersection of Hillcrest and Lebanon Road. He stated that there would be

a period of time when the intersection of Bocage and Hillcrest will be closed.

f) Main Street Update (Engineering)

Mayor Pro-Tem Maso asked about the status of the SWB delay on Main Street, Phase III (Tollway to John Elliott). Frank Jaromin stated they are meeting with SWB on Friday, June 6, 2003 to try to resolve some of the issues. Mr. Jaromin stated that asphalt will be laid down later this week. He also stated that the contractor has stopped work due to utility problems, easements, etc. Mr. Jaromin reiterated that they are continuing to meet with the utility companies.

He stated that they have notified residents from Gary Burns to Preston Road and they are waiting to hear comments back. He stated that they are looking for an early August award from the RR tracks to Preston Road.

Mr. Jaromin stated that they have assured the Downtown Merchants that there would not be work on the downtown section on Main Street during Thanksgiving and/or Christmas.

g) 2003 Frisco Citizen's Survey (City Manager's Office/HJH)

Review of the 2003 Citizen's Survey. Mr. Hill stated that the Council will be providing additional information during the work session. Discussion only, no formal action was taken.

h) Parks and Recreation Monthly Report

Discussion only, no formal action was taken.

i) Preston Road Overlay Presentation (Parks and Recreation)

Dudley Raymond was present to address the Council regarding the Preston Road Overlay Presentation. Discussion only, no formal action was taken.

j) Project Status Tracking Reports

Discussion only, no formal action was taken.

9. Consent Agenda:

The Consent Agenda was considered for approval. Deputy Mayor Pro-Tem Lafata moved to approve the Consent Agenda. Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

- A. Consider and act upon approval of the minutes of the Regular City Council Meeting of May 20, 2003. (City Secretary)
- B. Adoption of **Resolution No. 03-06-108R** therein calling a Public Hearing for Voluntary Annexation, Case A03-0017, Fesharaki Tract (City Secretary)
- C. Approval of payment of Section 380 Sales Tax Grant to General Growth Properties in the amount of \$286,982.84 for the Second Quarter of Fiscal Year 2003. (City Manager's Office/KH)
- D. Adoption of **Resolution No. 03-06-109R** to suspend the effective date of the TXU Gas Distribution's requested Rate Change and approve the cooperation with other cities within the TXU Gas Distribution System. (City Manager's Office/KH)
- E. Adoption of **Resolution No. 03-06-110R** authorizing the City Manager to execute an Agreement by and between the City of Frisco and Lisa Fondren to provide technical support services for alcohol detection equipment owned by the City Frisco Police Department. (Police Department)
- F. Award of Bid 0303-058 and 0304-062, Annual Contracts for EMS Medical Supplies, to Moore Medical Corporation and Bound Tree Medical. (Purchasing)

END OF CONSENT AGENDA

10. Legislative Agenda

The Legislative Agenda was considered for approval. Council member Allen moved to approve the Legislative Agenda. Council member West seconded the Motion. Motion carried. Vote: 6-0.

- A. Adoption of **Ordinance No. 03-06-40** therein granting a Specific Use Permit for a Child Day Care Center on 1.1± acres on the south side of Stonebrook Parkway, 100± feet east of Oakbrook Drive. Zoned Commercial-1. Neighborhood #23. Applicant(s): Apple Creek Private School. SUP03-0004 (Planning & Development)
- B. Adoption of **Ordinance No. 03-06-41** therein amend Planned Development-81-Patio Home, 37.0± acres on the east side of Legacy Drive, 500± feet north of Town and Country to modify development standards relating to setbacks and screening. Neighborhood #34. Applicant(s): Kimley-Horn & Associates. Zoning Case Z03-0008 (Planning & Development)

- C. Adoption of **Ordinance No. 03-06-42** therein to rezone 21.5± acres on the west side of Custer Road, 2,150+ feet south of Eldorado Parkway from Agricultural to Planned Development-Single Family-1. Neighborhood #15. Applicant(s): 2478 Partnership. Zoning Case Z03-0012 (Planning & Development)

END OF LEGISLATIVE AGENDA

Regular Agenda

11. Beck Legacy/720 Partnership

A. Public Hearing: Zoning Case Z2003-0014. A request to amend development standards contained within Planned Development-173-Retail/Office-2/Information and Technology on 116.7± acres located at the southwest corner of Main Street and the Dallas Parkway. Neighborhood #40. Applicant(s): Beck Legacy/720 Partnership (Planning & Development)

Council member Allen moved to open the Public Hearing. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

Bill Grant, representing the applicant, was present to speak in favor of the request. Council member Allen asked about the provision for mixed use development for residential. Mr. Grant stated that it would not be his first choice, but staff was in favor of the residential.

There being no one else present to speak for or against the request, Council member Joyner moved to close the Public Hearing. Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

B. Consider and act upon adoption of an ordinance to amend development standards contained within Planned Development-173-Retail/Office-2/Information and Technology on 116.7± acres located at the southwest corner of Main Street and the Dallas Parkway. Neighborhood #40. Applicant(s): Beck Legacy/720 Partnership (Planning & Development)

Council member Allen moved to adopt **Ordinance No. 03-06-43** therein amending development standards contained within Planned Development-173-Retail/Office-2/Information and Technology on 116.7± acres located at the southwest corner of Main Street and the Dallas Parkway. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

12. Consider and act upon a Resolution authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and Vicki Stanbery and Debbie Stanbery d/b/a Event & Tour Concepts of Dallas and Pat Sherlock d/b/a Pea Patch entailing all activities associated with a "Farmer's Market". (Planning)

Jeff Witt was present to address the Council regarding a development agreement. The agreement protects the City of Frisco from any damages and or liability associated with the operation of the Farmer's Market, conducted on public property. The 'Contract' denotes the time of operation, the authorized vendors, authorized items for sale, and associated health and safety considerations. Other items, within the contract include, but are not limited to:

Requirement for staff approved Site Plan
Representations and Warranties
Termination / Waiver of Liability
Indemnification
Insurance Requirements
Default Clause

The event organizers (Event and Tour Concepts / Pat's Pea Patch) and staff convened a group of local citizens for a public meeting held at the Frisco Chamber of Commerce on May 28, 2003. Staff explained that the event would be sufficiently parked, and all local noise and health ordinances would be followed. There were no issues raised by the public at this meeting.

Audie Adkins, President of Frisco Chamber of Commerce was present to address the Council regarding the development of the Fresh Taste of Frisco. She stated that the Frisco Farmers Market is underwritten by the City of Frisco, Frisco Chamber of Commerce and Downtown Merchants to be held on June 28th from 7:00 a.m. until 3:00 p.m. in the parking lot between 3rd & 4th Street, behind City Hall Building. She stated that she would like to get the City's approval for the one time only event, if it works well, they may plan it as a monthly event.

Following discussion, Council member Allen moved to adopt **No. 03-06-111R** therein approving and authorizing the City Manager to adopt a development agreement by and between the City of Frisco and Pat's Pea Patch Farmer's Market. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

13. Consider and act upon adoption of an Ordinance establishing a Service Policy of the Frisco Public Library. (Library)

Deputy Mayor Pro-Tem Lafata moved to adopt **Ordinance No. 03-06-39** therein establishing a Service Policy of the Frisco Public Library. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

14. Consider and act upon the location of the Recreation and Aquatic Facility. (Parks Department)

Mr. Purefoy asked that the Council allow staff to review three different sites and then report back to the Council at a future meeting. Council member West moved **to table** for further staff review and reports. Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

15. Consider and act upon approval of an Ordinance providing for a Comprehensive Park Ordinance as recommended by the Parks and Recreation Board. (Parks and Recreation)

Mayor Pro-Tem Maso moved to adopt **Ordinance No. 03-06-44** therein in providing for a Comprehensive Park Ordinance as recommended by the Parks and Recreation Board subject to changes as outlined by the council. Council member West seconded the Motion. Motion carried. Vote: 6-0.

16. Consider and act upon Resolution authorizing the City Manager to execute an the first amendment to the Agreement by and between the City of Frisco and Frisco Square Management District

Director Nell Lange was present to address the Council regarding the need to amend the City allow City and Five Star Management District for the sale of more that \$9 million in debt.

Council member Allen moved to adopt **Resolution No. 03-06-112R** therein approving and authorizing the City Manager to execute the first amendment to the Agreement by and between the City of Frisco and Frisco Square Management District. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

17. Consider and act upon approval of a Resolution authorizing the City Manager to enter into an Agreement with RLK Engineering in the amount of \$40,550.00 for the Design of Ohio Drive between Prestmont Place and Lebanon Road. Tabled 05/20/03 (Engineering)

There was no action required on Item No. 17 – the item was withdrawn.

18. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Impact Fee Agreement by and between the City of Frisco and Frisco Legacy, Ltd. Tabled 05/07/03 and 5/20/03 (City Manager's Office/SY)

Council Member Allen moved to remove Item 18 from the agenda. Council Member West seconded the motion. Motion carried. Vote: 6-0.

After discussion of the agreement, Council Member Allen moved to adopt **Resolution 03-06-118R**, therein approving the Impact Fee Agreement with Frisco Legacy, Ltd. Council Member Joyner seconded the motion. Motion carried. Vote: 6-0.

19. Consider and act upon approval of a Master Development Agreement by and between the City of Frisco and John Q. Hammons Industries for the development of a hotel, conference center and related improvements. Tabled 5/20/03 (City Manager's Office/SY)

Mr. Purefoy reviewed the Master Development Agreement by and between the City and John Q. Hammons Industries for the development of a hotel, conference center and related improvements.

Rebecca Brewer reviewed the Agreement for a request to allow for a transfer to a financially qualified third party subject to approval by the City. Mr. Purefoy stated that in order for the third party to receive the transfer of the agreement they would have to bring the same financially sound package to the table.

Deputy Mayor Pro-Tem Lafata moved to adopt **Resolution No. 03-06-113R** therein approving and authorizing the City Manager to sign the Master Development Agreement subject to a side agreement addressing the city's use of the parking and capital reserve. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

20. Consider and act upon approval of a Lease Agreement by and between the City of Frisco and John Q. Hammons Industries related to a Parking Facility. Tabled 5/20/03 (City Manager's Office/SY)

Council member Joyner moved to remove the item from the table. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

Council member Allen Moved to adopt **Resolution No. 03-06-114R** subject to the submission of requirements as referred by the City Attorney and City Manager. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

21. Consider and act upon approval of a Lease by and between the City of Frisco and John Q. Hammons Industries related to the management of Convention Center. Tabled 5/20/03 (City Manager's Office/SY)

Council member Allen moved to remove the item from the table. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

Council member Allen Moved to adopt **Resolution No. 03-06-115R** therein approving the Lease Agreement subject to noted changes. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

22. Consider and act upon approval of a Resolution authorizing the City Manager to execute a Lease Agreement by and between the City of Frisco and Panther Creek Association of Homeowners. (City Attorney)

Director of Administrative Services Nell Lange requested that the item be tabled for the formation of the Lease Agreement, Service Agreement and the Assessments. Council member Joyner moved to **table the item until a future date**. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

23. Sale of Certificates of Obligation

Council member Allen moved to remove the item from the table. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

Laura Alexander from First Southwest Company was present to address the council regarding the sale of Combination Tax and Revenue Certificates of Obligation, Series 2003A in the amount of \$93,550,000 and \$15,035,000 Combination Tax and Revenue Certificates of Obligation, Taxable Series 2003B.

- a) Deputy Mayor Pro-Tem Lafata moved to adopt **Ordinance No. 03-06-45** Authorizing the Issuance and Sale of City of Frisco, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2003A, Levying an Annual Ad Valorem Tax and Providing for the Security for and Payment of Said Certificates. Tabled 5/20/03 (Administrative Services) Council member Allen seconded the Motion. Motion carried. Vote: 6-0.
- b) Council member Joyner moved to adopt **Ordinance No. 03-06-46** Authorizing the Issuance and Sale of City of Frisco, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2003B, Levying an Annual Ad Valorem Tax

and Providing for the Security for and Payment of Said Certificates. Tabled 5/20/03 (Administrative Services) Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

- c) Deputy Mayor Pro-Tem Lafata moved to adopt **Ordinance No 03-06-47** therein to Designate Payments under certain Agreements to Payment of the City's Combination Tax and Revenue Certificates of Obligation, Taxable Series 2003B. Tabled 5/20/03 (Administrative Services) Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

24. Continuation of a Public Hearing and Consider and act upon an Ordinance concerning Real property located within the Panther Creek Estates Public Improvement District in the City of Frisco, Texas, as to Special Benefits to Accrue to such property and the Real True owners thereof by virtue of making certain improvements within the district; finding and determining that each parcel of property within the district will be specifically benefited and enhanced in value, and levying an assessment for the costs of making such improvements and the operation and maintenance thereof; fixing a charge and lien against all properties within the district, and the owners thereof; and providing for the manner and method of collection of such assessments. (Administrative Services)

Council member Allen moved to continue the public hearing. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

Director of Administrative Services Nell Lange was present to address the Council regarding the assessment of the property owner in the PID No. 1 assessed to the one property owner. Ms. Lange stated that upon development of PID there will be other property owners to be assessed. Mr. Grawunder stated that because the lease agreement did not have the service plan approved. He stated that he would recommend that the language be changed to reflect [to] be reviewed and updated annually by the advisory board.

There being no one else present to speak for or against the request Deputy Mayor Pro-Tem Lafata moved to close the Public Hearing. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

Council member Joyner moved to adopt **Ordinance No. 03-06-48** concerning Real property located within the Panther Creek Estates Public Improvement District in the City of Frisco, Texas, as to Special Benefits to Accrue to such property and the Real True owners thereof by virtue of making certain improvements within the district; finding and determining that each parcel of property within the district will be specifically benefited and enhanced in value, and levying an assessment for the costs of making such improvements and the operation and maintenance thereof; fixing a charge and lien against all properties within the district, and the owners thereof; and providing for the manner and method of collection of such assessments.

Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

25. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a submitted A.I.A. Document A121/CMc-a for "Construction Manager at Risk" Services by and between the City of Frisco and Thomas S. Byrne, Ltd. General Contractors for the "General Conditions" in the amount of \$610,115.00 and "Fee" of 4.25% of the total estimated project construction cost of \$7,325,000.00 for the City of Frisco Public Works Facility. Tabled 5/20/03 (City Manager's Office/SY)

Council member Allen moved to remove the item from the table. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

Deputy Mayor Pro-Tem Lafata moved to adopt **Resolution No. 03-06-116R** therein authorizing the City Manager to execute a submitted A.I.A. Document A121/CMc-a for "Construction Manager at Risk" Services by and between the City of Frisco and Thomas S. Byrne, Ltd. General Contractors for the "General Conditions" in the amount of \$610,115.00 and "Fee" of 4.25% of the total estimated project construction cost of \$7,325,000.00 for the City of Frisco Public Works Facility. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

26. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Consulting Services Agreement by and between the City of Frisco and GGO Architects in the amount of \$26,500.00 for an Independent "L.E.E.D.S. Certificate and Commissioning" Services during the design and construction of the City of Frisco - Public Works Facility. Tabled 5/20/03 (City Manager's Office/SY)

Council member Joyner moved to remove the item from the table. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

Council member Allen moved to adopt **Resolution No. 03-06-117R** therein authorizing the City Manager to execute a Consulting Services Agreement by and between the City of Frisco and GGO Architects in the amount of \$26,500.00 for an Independent "L.E.E.D.S. Certificate and Commissioning" Services during the design and construction of the City of Frisco - Public Works Facility. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

27. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Consulting Services Agreement by and between the City of Frisco and ROOF-TECH in the amount of \$14,550.00 for independent "Roof and Water Proofing Consulting" Services during the design and construction of the City of Frisco - Public Works Facility. Tabled 5/20/03 (City Manager's Office/SY)

Council member West moved to remove the item from the table. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

Council member Joyner moved to **table** the item until a later date. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

28. Consider and act upon authorization for projects to be funded for Phase I General Obligation bond sale as a result of the September 2002 bond election. (City Manager)

Mr. Purefoy reviewed the projects to be funded for Phase 1 General Obligation bond sale as a result of the September 2002 bond election. Council member Allen moved to approve the sale of \$96.5 million. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

29. Consider and act upon an ordinance establishing procedures to adopt local amendments to the International Residential Code and for the administration and enforcement of the International Residential Code. (City Manager)

Council member West moved to adopt **Ordinance No. 03-06-49** establishing procedures to adopt local amendments to the International Residential Code and for the administration of the International Residential Code. Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

30. Consider and act upon repealing Ordinance Number 02-10-122 regarding the installation of Gas Piping Systems. (City Manager's Office)

Council member Allen moved to **table** until June 17, 2003. Council member West seconded the Motion. Motion carried. Vote: 6-0.

31. Consider and act upon repealing Ordinance Number 02-10-123 regarding adding options for Lightning Suppression Systems. (City Manager's Office)

Deputy Mayor Pro-Tem Lafata moved to **table** until June 17, 2003. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

32. Discussion regarding Board Attendance as set forth in the Home Rule Charter. (City Council/JJ)

Discussion regarding board attendance as set forth in the Home Rule Charter and in each separate ordinance that creates the different boards. Discussion only, no formal action was taken.

33. Governance Agenda

Discussion only, no formal action was taken.

34. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to the Planning & Development Department, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to the Planning & Development Department.

The Council did not choose to appeal any decisions made by the Planning & Development Department.

35. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

No action was taken.

36. Discussion on Governance Monitoring of present City Council Meeting.

Mayor Simpson monitored the meeting. Discussion only, no formal action was taken.

37. Adjourn.

There being no additional business, the Meeting was adjourned at 11:00 p.m.

E. Michael Simpson, Mayor

ATTEST:

Nan Parker, City Secretary